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PATENT TRADEMARK OFFICE

Docket No.: 1225/OC674

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David BERD

Serial No.: 08/203,004

Art Unit: 1642

Confirmation No.:

Filed: February 28, 1994

Examiner: Susan UNGAR

For: COMPOSITION AND METHOD OF USING TUMOR CELLS

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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

Hon. Commissioner of  
Patents and Trademarks  
Washington, DC 20231

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated November 29, 2000 of the Primary Examiner finally rejecting claims 43, 44, 47, 49-62, 64-72, and 74-77.

*See above per*

#49  
KD  
82307

The item(s) checked below are applicable:

1. ☒ An extension of time to respond to the final rejection is required: a petition and fee of \$445 are enclosed.
2. ☐ A timely response to the final rejection has been filed.
3. ☐ Fee \$.00: ☒ Fee \$155.00 (small entity):  
☒ Enclosed  
☐ Not required (fee paid in prior appeal)  
☒ Charge any deficiency to Deposit Account No. 04-0100

Respectfully submitted,



Paul F. Fehlner, Ph.D.  
Reg. No. 35,135  
Attorney for Applicant(s)

Dated: May 29, 2001

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FILE #: 1225/1C673US4 and 0C674

DATE: July 30, 2001

NUMBER TRANSMITTING TO: (703) 308-4426

RECIPIENT: Examiner Susan Ungar, Art Unit 1642

COMPANY: U.S. Patent and Trademark Office

FROM: Paul F. Fehlner, Ph.D. 212-527-7665

NUMBER OF PAGES TRANSMITTING  
(INCLUDING COVER SHEET)\*: 7

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PLEASE DELIVER DIRECTLY TO EXAMINER UNGAR.**

Dear Examiner Ungar,

Further to your inquiry on whether Notices of Appeal had been filed in U.S.S.N. 08/203,004 (Attorney Docket No. 1225/0C674) and U.S.S.N. 08/973,603 (Attorney Docket No. 1225/1C673US4), please find enclosed copies of the filed appeals for these two applications.

Sincerely,  
Paul Fehlner

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Return of this card properly stamped, will acknowledge receipt of:

1. Response to Official Action
  2. Declaration of Donald P. Braun w/Exhibits A-F
  3. Mark-Up for Amendment
  4. Notice of Appeal; Check No. 1648 for \$155 8445
  5. Petition for Extension of Time; Check No. 1648 for \$455
- ALL ACCOMPANIED BY EXPRESS MAIL CERTIFICATE NO:

✓  
Applicant : David Berd  
Serial No. : 08/203,004  
Filed : February 28, 1994  
For : COMPOSITION AND METHOD OF USING  
TUMOR CELLS

Attorney : PFF:AL:bar  
File No. : 1225/0C674

MAY 29 2001

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